

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL J. MAGARITY,

Plaintiff,

v.

PAUL, et al.,

Defendants.

Case No. 18-cv-04649-HSG

ORDER OF DISMISSAL

Plaintiff initiated this civil rights action under 42 U.S.C. § 1983 on August 2, 2018. At that time, plaintiff was confined at the San Francisco County Jail. Dkt. No. 1. On September 10, 2018, this action was reassigned from Magistrate Judge Joseph C. Spero to the undersigned because plaintiff had not consented to the jurisdiction of a magistrate judge. Dkt. No. 6. The Reassignment Order was mailed to plaintiff on the same day. On September 24, 2018, the Court's September 10, 2018 Reassignment Order was returned as undeliverable with a notation that plaintiff was not in custody. Dkt. No. 7.

Pursuant to Northern District Local Rule 3-11, a party proceeding *pro se* must promptly file a notice of change of address while an action is pending. *See* L.R. 3-11(a). The Court may, without prejudice, dismiss a complaint when: (1) mail directed to the *pro se* party by the Court has been returned to the Court as not deliverable, and (2) the Court fails to receive within sixty days of this return a written communication from the *pro se* party indicating a current address. *See* L.R. 3-11(b).

More than sixty days have passed since the mail addressed to plaintiff was returned as undeliverable. The Court has not received a notice from plaintiff of a new address. Accordingly,


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the instant civil rights action is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern District Local Rules.

The Clerk shall terminate any pending motions, enter judgment, and close the file.

IT IS SO ORDERED.

Dated: 12/10/2018


HAYWOOD S. GILLIAM, JR.
United States District Judge